

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BECK PAINT & HARDWARE, INC.,]	
]	
Plaintiff,]	
]	
v]	Case No.
]	Hon.
THE TRAVELERS INDEMNITY COMPANY,]	
]	
]	
Defendant.]	
]	
]	

NOTICE OF REMOVAL BASED ON DIVERSITY OF CITIZENSHIP

NOW COMES Defendant, The Travelers Indemnity Company, by and through its attorneys, Gregory and Meyer, P.C., and pursuant to 28 USCA 1441, hereby files this Notice of Removal of a cause of action filed in the Hamilton County Common Pleas Court of the State of Ohio entitled, *Beck Paint & Hardware, Inc. v. The Travelers Indemnity Company*, Case No. A1701848, and states:

1. This action was commenced against Defendant, The Travelers Indemnity Company, in the Hamilton County Common Pleas Court on April 4, 2017, and service of process as well as the initial pleading setting forth the claim for relief upon which the action is based, was delivered to Corporation Service Company on April 10, 2017.

2. The action is a civil action for alleged breach of contract and bad faith against Defendant and, pursuant to 28 USCA 1332(a)(1), this Court has original jurisdiction over the matter by reason of diversity of citizenship of the parties. Plaintiff's Complaint alleges that it is a company resident in Ohio, whose principal place of business is at 718 E. McMillian St.,

Cincinnati, Ohio 45206, which is the subject of this litigation; The Travelers Indemnity Company is a Connecticut corporation with its principal place of business in the State of Connecticut; and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, because Plaintiff requests compensatory damages in excess of \$25,000 and punitive damages, which may be awarded up to two times the compensatory damages under ORC 2315.21, therefore, the amount in controversy exceeds \$75,000.

3. A copy of all process, pleadings and orders served upon Defendant, as well as a Proof of Service of written notice of this Notice of Removal to all adverse parties and a copy of same being filed with the clerk of the State court is being filed with this notice as required by 28 USC 1446 (a) and (d).

4. The Travelers Indemnity Company intends on filing a motion or first responsive pleading asserting as provided by FRCP 12(b), following removal.

s/ Kurt D. Meyer
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Dated: May 8, 2017

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BECK PAINT & HARDWARE, INC.,]	
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Plaintiff,]	
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v]	Case No.
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THE TRAVELERS INDEMNITY]	
COMPANY,]	
]	
Defendant.]	
]	
]	

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2017, I electronically filed the *Notice of Removal Based on Diversity of Citizenship and this Certificate of Service* with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Not applicable.

I hereby further certify that on May 8, 2017, I electronically filed a copy of the foregoing *Notice of Removal Based on Diversity of Citizenship and this Certificate of Service* with the Clerk of the Court, Hamilton County Court of Common Pleas, using the Court's Efile system, which will send notification to all attorneys of record.

I hereby further certify that on May 8, 2017, I served a copy of the foregoing **Notice of Filing Notice of Removal and this Certificate of Service** by United States First Class mail and electronic mail upon:

Frederic X. Shadley
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Attorney for Plaintiff

s/ Kurt D. Meyer

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